

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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United States of America,  
Plaintiff,

vs.

(1) Amina Farah Ali and  
(2) Hawo Mohamed Hassan,  
Defendants.

)  
)  
) File No. CR-10-187  
) (MJD/FLN)  
)

) Minneapolis, Minnesota  
) October 5, 2011  
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BEFORE THE HONORABLE MICHAEL J. DAVIS and a Jury  
UNITED STATES DISTRICT COURT JUDGE

**(EXCERPT FROM TRIAL REGARDING CONTEMPT)**

Proceedings recorded by mechanical stenography;  
transcript produced by computer.

APPEARANCES

For the Plaintiff:

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For Defendant Hawo  
Mohamed Hassan:

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Interpreters:

Osman Abdulle  
Osman Omar  
Hassan Hassan

1 (9:20 a.m.)

2 P R O C E E D I N G S

3 I N O P E N C O U R T

4 (JURY NOT PRESENT)

5 THE COURT: Let's swear the interpreters in,  
6 please.

7 THE CLERK: Please raise your right hands.

8 (Interpreters sworn.)

9 THE COURT: Sidebar.

10 (At sidebar.)

11 THE COURT: Good morning.

12 DEFENDANT ALI: I have to tell the reason. I'm  
13 telling you something about yesterday of the conversation  
14 and your idea about the Hadith. The way you talk to me  
15 yesterday, I change my mind last night. Since you discuss  
16 with me about the idea of religion and those things, I  
17 started changing my mind and I want to respect it to stand  
18 up.

19 And the past, I want you to forgive me since I  
20 have wrong idea. It wasn't wrong, but I change my mind  
21 because of the religion, so that I change my mind since I  
22 have a different idea.

23 THE COURT: You should know that I do respect your  
24 religion.

25 DEFENDANT ALI: Thank you.

1 THE COURT: And I respect you.

2 DEFENDANT ALI: Thank you.

3 THE COURT: It's very important that you know  
4 that, and I am glad we had the conversation yesterday so you  
5 would know.

6 DEFENDANT ALI: It was good for me to talk to you.

7 THE COURT: And you should know that, even more,  
8 that I have gone to Egypt and taught Egyptian judges and  
9 they are Muslim. I have gone to Uganda and taught judges  
10 there that are Muslim. I have been to Senegal and that is a  
11 Muslim country and I have taught judges there.

12 Then I have gone to the Kingdom of Saudi Arabia  
13 and met with the high officials in the government to have  
14 Sharia judges come to the United States and I was able to  
15 convince them, the King, to allow the Sharia judges to come  
16 to the United States. They studied in Washington, D.C., and  
17 then they honored me by coming to Minnesota and spending a  
18 week here learning about our court system here in Minnesota.

19 So it is important that not only your religious  
20 beliefs, but anyone else that has religious beliefs, or if  
21 they don't have any, be able to practice them.

22 But it's important that you understand that I'm  
23 not asking for you to stand for me, but it's to stand for  
24 what this country stands for and our judicial system stands  
25 for and the struggles that this country has gone through to

1 get where we are now where there is freedom of religion.

2 And so with you -- if I understand you correctly,  
3 that you will be standing at the beginning and at recesses  
4 for the court and the jury. Is that correct?

5 DEFENDANT ALI: Yes.

6 THE COURT: Now, I will not sign any more orders  
7 dealing with your contempt and at the appropriate time at  
8 the end of this trial Mr. Scott will bring a motion that I  
9 not enforce those contempt citations against you.

10 And I will release you from custody of the jail  
11 and I will put a monitor on your ankle so we will know where  
12 you are at all times. Are you willing to abide by those  
13 rules?

14 DEFENDANT ALI: I will follow if you forgive me  
15 the past since I have a wrong idea.

16 THE COURT: I understand that and if you need  
17 to -- I never personally felt any animosity towards you. It  
18 is the Court's position that as an officer of this court all  
19 parties and all individuals attending court respect the  
20 court.

21 And I will certainly -- I have given an indication  
22 to Mr. Scott that if you continue to honor your commitment  
23 and stand at the appropriate times and not be disruptive in  
24 court, that he can make a motion that will allow the Court  
25 to forgive your past behavior.

1           DEFENDANT ALI: I will follow and I am going to do  
2 that forever.

3           THE COURT: All right. And do you understand that  
4 we will put a bracelet on your ankle?

5           DEFENDANT ALI: No problem.

6           THE COURT: All right. Mr. Scott?

7           MR. SCOTT: Nothing further, Your Honor.

8           THE COURT: Anything for the Government?

9           MR. PAULSEN: Can we cancel the research project?

10          THE COURT: Yes.

11          DEFENDANT ALI: Okay. Thank you.

12          MR. KELLY: Your Honor, does this merit an  
13 explanation to the jury if --

14          MR. SCOTT: As far as I am concerned --

15          MR. KELLY: -- the jurors --

16          MR. SCOTT: I mean, nobody has --

17          COURT REPORTER: This is not making a good record.  
18 You are talking at the same time.

19          INTERPRETER: She asked me what they are talking  
20 about.

21          THE COURT: One thing that we have to do, now that  
22 we have had this conversation together, I do need you to go  
23 to the front and I will ask you whether or not you will  
24 abide by my rules. And if you say yes, then we can --  
25 because we do have a free society and everyone has a right

1 to know what is happening up here, because this is not  
2 secret. It's not an embarrassment to you and I will not  
3 embarrass you at all. I will have Mr. Scott ask you two or  
4 three questions and you will answer those questions and then  
5 we will be done with this matter.

6 DEFENDANT ALI: Okay.

7 THE COURT: All right?

8 DEFENDANT ALI: Thank you.

9 THE COURT: Agreeable?

10 DEFENDANT ALI: Yes.

11 THE COURT: All right.

12 **(In open court.)**

13 THE COURT: Mr. Scott.

14 MR. SCOTT: Ms. Ali, up until this morning the  
15 Court had ordered you to stand and you had not been  
16 standing; is that correct?

17 DEFENDANT ALI: Yes.

18 MR. SCOTT: And as a result of conversations that  
19 you had in open court with the Judge yesterday and thinking  
20 it over, you have now made a decision that when the jury  
21 comes in and when the Court comes in you are going to stand;  
22 is that correct?

23 DEFENDANT ALI: Yes.

24 MR. SCOTT: And you will do so for the remainder  
25 of the trial?

1                   DEFENDANT ALI:   Yes.

2                   THE COURT:   All right.   Mr. Scott, at the  
3                   appropriate time you will make the appropriate motions at  
4                   the end of the trial dealing with the contempt citations.   I  
5                   will release her from the custody of the marshal after we  
6                   make the appropriate arrangements, and that will be today.

7                   Mrs. Ali, and you are willing to follow the  
8                   conditions of your release that I will be putting on you?

9                   DEFENDANT ALI:   Yes.

10                  THE COURT:   All right.   Let's get the jury out.

11                                 \*   \*   \*

12                                 **(Excerpt from trial concluded)**

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15  
16                  I, Lori A. Simpson, certify that the foregoing is a  
17                  correct transcript from the record of proceedings in the  
18                  above-entitled matter.

19  
20                                 Certified by:   s/ Lori A. Simpson

21   Lori A. Simpson, RMR-CRR

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